

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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|--|---|-------------------------------|
| VERNON L. EALY, JR., | : | CIVIL NO. 3:13-CV-2782 |
| Plaintiff | : | |
| | : | (Judge Munley) |
| v. | : | |
| | : | |
| MR. SULLEN, CAPTAIN OF SECURITY, <i>et al.</i>, | : | |
| | : | |
| Defendants | : | |

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ORDER

AND NOW, to wit, this 16 day of March 2015, upon consideration of defendants' motions (Doc. 19, 20) to dismiss plaintiff's complaint pursuant to Federal Rule of Civil Procedure 12(b)(6), it is hereby **ORDERED** that:

1. The motion (Doc. 19) filed on behalf of defendants Keen, Sullen, Rouzer, Sterner-Lensbower, and Weller is granted and the complaint against these defendants is DISMISSED.
2. The motion (Doc. 20) filed on behalf of defendants Prison Medical Provider, Murphy and Shindledecker is granted in part and denied in part as follows:
 - a. The motion is GRANTED as to defendant Shindledecker. The complaint against this defendant is DISMISSED.
 - b. The motion is DENIED with respect to defendants Prison Medical Provider and Murphy.
3. The Clerk of Court is directed to TERMINATE defendants Keen, Sullen, Rouzer, Sterner-Lensbower, Weller, and Shindledecker.

4. Defendants Prison Medical Provider and Murphy are directed to FILE an answer or appropriate pre-trial motion within twenty days from the date of this order.

BY THE COURT:



JUDGE JAMES M. MUNLEY
United States District Court